



BRECON BEACONS NATIONAL PARK AUTHORITY DELEGATED DECISION REPORT

Application No: 12/08100/FUL **Case Officer:** Ms Helen Lillow
Site Notice Posted: 21st Jun 2012 **Consultation Date:** 18th Jun 2012
Date Valid: 15th Jun 2012 **8 Week Target:** 10th Aug 2012
Decision Type: Delegated Decision
Proposal: Construction of an external chimney stack to side elevation of detached domestic property.
Address: 18 Malford Grove, Gilwern, Abergavenny

CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Llanely Community Council	19th Jul 2012	No Objection
Health And Safety Executive	18th Jun 2012	Does not advise, on safety grounds, against the granting of planning permission in this case.

NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

The application has been advertised by direct neighbour notification and the erection of a site notice. No objections or representations have been received.

RELEVANT POLICIES

G3: "Development in the National Park" (Unitary Development Plan 2007)
G6: "Design" (Unitary Development Plan 2007)
ES27: "House Extensions and Ancillary Buildings" (Unitary Development Plan 2007)
LPG3: "Development in the National Park." (Local Plan 1999)
LPG7: "Design and energy conservation." (Local Plan 1999)
LPH14: "House extensions and ancillary buildings" (Local Plan 1999)

PLANNING HISTORY

App Ref	Description	Decision	Date
BG12339	Full planning permission for porch extension and small pitched roof	Application Permitted	4th Dec 1991
BG13025	Full planning permission for two storey rear house extension	Application Permitted	11th Mar 1993

OFFICER'S REPORT

INTRODUCTION

The application seeks full planning permission for the erection of a chimney at 18 Malford Grove, Gilwern. The property is located within the village and settlement development limits of Gilwern and the community of Llanely as defined by the Brecon Beacons National Park Unitary Development Plan 2007 ('the UDP') and the Brecon Beacons National Park Local Plan 1999 ('the Local Plan').

SITE APPRAISAL

The application site is relatively modern, detached, two storey dwelling positioned centrally within an rectangular shaped plot that has a road frontage of 10.5m and a depth of approximately 31m. The property is located on the north-eastern side of a vehicular highway that serves approximately 50 other properties in the Malford Grove cul-de-sac.

Due to the property's central position within the plot, it benefits from an open front garden to the south-west and an enclosed rear garden to the north-east. Off street parking is provided on a driveway to the south-east and within an integral garage. Externally the property is finished with red-brick elevations, white upvc windows and doors and concrete tiled roof.

The residential estate within which the application site forms part, has been developed on a gentle slope falling from south-west to north-east, as a result the application site is slightly below the internal floor levels of numbers 9 and 11 Malford Gove to the south-west, is level with number 16 and 20 to the south-east and north-west respectively and is slightly raised in relation to number 11 Malford Grove to the north-east.

APPLICATION DETAILS

The application seeks full planning permission for the erection of a chimney that would adjoin the north-western (gable) elevation of the dwelling. The development would be positioned 0.15m from the party boundary with number 20 Malford Grove. At its greatest, the development would measure 0.7m wide, 1.4m deep, reducing to 0.85m deep, 2m above ground level. The chimney would have a maximum height of 8.1m and would be positioned 0.6m to the south-west (in front of) the ridge. At its greatest, it would project 1.85m above the south-eastern plane of the roof and 1.0m above the ridge. Externally the development would be completed with brick facing with an internal liner.

Although Part 40 Classes E and F of the Town and County Planning (General Permitted Development) (Amendment) (Wales) Order 2012 grants permitted development rights for the installation of flues, they must form part of a biomass heating system (Class E) or a combined heat and power system (Class F). In this instance, the development would serve a gas fire and cannot therefore be considered permitted development in line with the above legislation. Being mindful that the dwelling has been previously extended, and the development would be in excess of 4m in height within 2m of the boundary it is considered that the development requires planning permission.

PLANNING CONSIDERATIONS

Whilst the development plan for the area includes the adopted Local Plan (1999), it has been largely superseded by the more up to date UDP (2007) which stopped short of formal adoption but was adopted for development control purposes. The UDP therefore provides a more up to date and relevant planning framework. This application is considered against policies G3, G6 and ES27 of the UDP and policies G3 and H4 of the Local Plan. Local Plan policies will only be considered where they differ significantly from their UDP counterparts.

The key considerations with regards to the application have been determined as the impact of the proposal upon the character and appearance of the host property and surrounding area and the impact on the residential amenity of those living closest to the site.

Impact on host property and surrounding area

The host property is a large, relatively modern dwelling set with a large residential housing estate of similarly designed properties. Although no other chimneys are evident within the street scene, it is considered that the position, size, scale, design and finish of the development would be complimentary to the host dwelling and would not be detrimental to the overall character and appearance of the surrounding area.

On the basis of the above the application is considered compliant with criteria iii) and v) of policy G3, criteria ii) of policy G6 and criteria i) of policy ES27 of the UDP.

Residential amenity

Given the position of the development 3.4m behind the principle elevation of the host dwelling, adjacent to the south-eastern (side) gable elevation of number 20, it is considered that the development proposed would not generate any increased overshadowing or loss of light to the closest residential properties. Although the chimney would be very close proximity to the party boundary, it would not overlap or encroach upon the adjacent property. It is also considered that the use of brick facing on the external elevations would reduce any potential burn hazard to the occupiers of number 20 when the passing the chimney face. Although no information in relation to prevailing wind direction has been provided, it is considered that the projection of the stack 1.0m above the ridge of the dwelling would provide sufficient opportunity for dispersion of fumes or smoke, thereby helping to ensure that the use does not have a detrimental impact of the residential amenity of those living closest to the site.

Following direct neighbour notification and the erection of a site notice, no objections or representations have been received. The application is therefore considered compliant with criteria v) of policy G3 and criteria iv) of policy ES27 of the UDP.

CONCLUSION

In conclusion it is considered that the development proposed would not have a detrimental impact on the character of the building or area and would not result in a significant loss of amenity to surrounding residents. The application is therefore recommended for approval subject to conditions.

RECOMMENDATION: Permit

Conditions and/or Reasons:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NP1v1, NP4v1, NP5v1) except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed in writing by the Local Planning Authority.
- 3 The materials to be used in the construction of the external surfaces of the chimney hereby permitted shall match those used on the existing building.

Reasons:

- 1 Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 To ensure the external materials harmonise with the existing building.

Signed (Case Officer):

Ms Helen Lillow
Planning Officer (DC)

 Date: 28.7.12

Checked (Principal Planner):

 Date: 23.7.12

Signed (National Park Authorised Officer):

 Date: 25/7/2012

